



Policy

3900 Time, Place & Manner

Yosemite Community College District wholly supports student, employee, and public free speech and supports every individual’s right to express his or her views. YCCD supports civil discourse as a fundamental pillar of education.

The Yosemite Community College District identifies free speech areas as those generally available to students and the community, and these are defined as grassy areas, walkways or other similar common areas. In these areas of the Colleges of the District, which are designated as limited public forums, the Chancellor shall enact such administrative procedures as are necessary to reasonably regulate the time, place and manner of the exercise of free expression in the areas. The areas the District has not designated as set forth above, are not opened up for expressive use (such as speech, demonstration, or similar activity) generally by students, employees or the community.

The Board reserves the right to change this designation of areas for any reason authorized by law.

The administrative procedures promulgated by the Chancellor shall not prohibit the right of students to exercise free expression, including but not limited to the use of bulletin boards designated for such use, the distribution of printed materials or petitions in those parts of the College designated as “free speech areas”, and the wearing of buttons, badges, or other insignia. Nothing in this policy shall prohibit the regulation of hate violence, so long as the regulation conforms to the requirements of the First Amendment to the United States Constitution, and of Section 2 of Article 1 of the California Constitution.

References:

Education Code Section [76067](#), [76120](#), [66301](#)

Adopted: June 28, 2004

Revision Adopted: ~~May 13, 2009~~, February 12, 2014

Administrative Procedure

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

3900 Time, Place & Manner

- I. The students and employees of the District and members of the public have the right to free expression subject to the time, place, and manner policies and procedures contained in Board Policy 3900 and these procedures.
- II. The Colleges of the District shall not restrict free expression in “areas generally available to students and the community,” defined as grassy areas, walkways or other similar common areas. This definition governs the phrase “areas generally available to students and the community” as it is used throughout this administrative procedure.
- III. The areas generally available to students and the community are limited public forums.
- IV. The use of area(s) generally available to students and the community is subject to the following:
 - A. Persons using the area(s) generally available to students and the community and/or distributing material in the areas generally available to students and the community shall not physically impede the progress of passersby, nor shall they force passersby to take material.
 - B. Persons using an area(s) generally available to students and the community shall not use any means of amplification that creates a noise or diversion that disturbs the orderly conduct of the campus or classes taking place at that time.
 - C. No persons using the area(s) generally available to students and the community shall solicit donations of money, through direct requests for funds, sales of tickets or otherwise, except where he or she is using the area(s) generally available to students and the community on behalf of and collecting funds for an organization that is registered with the Secretary of State as a nonprofit corporation or is an approved Associated Students Organization or club.
 - D. Persons using the area(s) generally available to students and the community shall not disrupt the orderly operation of the college.
- V. All persons using the area(s) generally available to students and the community of the colleges shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Such distribution shall take place only within the area(s) generally available to students and the community. Those persons distributing printed material must make reasonable efforts to retrieve, remove or properly discard material that is discarded or dropped other than in an appropriate receptacle prior to their departure from the area(s) generally available to students and the community that day.
- VI. Posting: Students shall be provided with bulletin boards for use in posting student materials at campus locations convenient for student use. All materials displayed on a bulletin board shall be dated by the Student Development and Campus Life Office on the East and West Campus for

1 Modesto Junior College, or the designee of the Learning Support Services office at Columbia
2 College.
3

4 **Reference:**

5 Education Code Section [76120](#)
6

7 **Cross Reference:**

8 BP 4030 – Academic Freedom
9

10 **Procedure Last Revised:** ~~April 11, 2007, May 9, 2012, interim procedure November 5, 2013, December 11, 2013,~~
11 February 12, 2014